

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

STACY VANICE WILLIAMS,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 3:23-cv-20-JTA
)	(WO)
KILOLO KIJAKAZI,)	
Acting Commissioner of Social)	
Security,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

Before the Court is the Commissioner’s Consent Motion for Entry of Judgment Under Four of 42 U.S.C. § 405(g) with Reversal and Remand of the Cause to Defendant. (Doc. No. 21.) The Commissioner moves the court to enter a judgment with a reversal and remand of this case so the Appeals Council can “instruct the Administrative Law Judge to offer [Plaintiff] an opportunity for a hearing, further evaluate the opinion evidence, further evaluate the residual functional capacity, obtain supplemental evidence from a vocational expert, and issue a new decision[.]” (Doc. No. 22 at 1.)

Sentence four of 42 U.S.C. § 405(g) authorizes the district court to “enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” 42 U.S.C. § 405(g). The district court may remand a case to the Commissioner for a rehearing if the court finds “either . . . the decision is not supported by

substantial evidence, or . . . the Commissioner or the ALJ incorrectly applied the law relevant to the disability claim.” *Jackson v. Chater*, 99 F.3d 1086, 1092 (11th Cir. 1996).

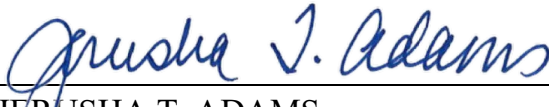
Here, the Court finds remand necessary as the Commissioner concedes that a hearing and further evaluation of the administrative record is in order. Moreover, Plaintiff does not oppose the motion. (Doc. No. 21.) Further, pursuant to 28 U.S.C. § 636(c)(1) and Rule 73 of the Federal Rules of Civil Procedure, the parties have consented to the full jurisdiction of the undersigned United States Magistrate Judge. (Docs. No. 5, 6.)

Accordingly, it is hereby ORDERED as follows:

1. The Commissioner’s unopposed motion (Doc. No. 21) is GRANTED.
2. The decision of the Commissioner is hereby REVERSED.
3. This matter is hereby REMANDED to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

A separate judgment will issue.

DONE this 30th day of August, 2023.



JERUSHA T. ADAMS
UNITED STATES MAGISTRATE JUDGE